

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Greenview Resource Management Inc.
12345 Slauson Ave.
Whittier, California 90606
CAR 000 194 720

Respondent.

Docket HWCA 20102669

CONSENT ORDER

Health and Safety Code
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Greenview Resource Management Inc. (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent generates, handles, and stores hazardous waste at the following site: 12345 Slauson Avenue, Whittier, California 90606 (Site).

1.3. Inspection. The Department inspected Respondent on September 9, 2010.

1.4. Jurisdiction. Health and Safety Code, section 25187, authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

1.5. Authorization Status. Respondent does not have a state permit, certificate, registration, or interim status to manage hazardous waste, but has notified the Department of its intent to operate as a Cathode Ray Tube (CRT) material and California Code of Regulations, title 22, division 4.5, chapter 23, related to the treatment

of CRTs and Universal Waste Electronic Devices (UWEDs).

1.6. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all of the terms contained herein, are fair, reasonable, and in the public interest. By agreeing to this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.6. Hearing. Respondent waives any and all rights to a hearing in this matter.

1.7. Admissions. Respondent admits the violations as alleged in Section 2 below.

2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.2. Respondent violated California Code of Regulations, title 22, section 66273.72 (b) (2) (D), in that Respondent failed to manage/ place CRTs in container with packing material, to prevent breakage during handling, storage, and transportation.

2.3. Respondent violated California Code of Regulations, title 22, section 66273.36 (b), in that Respondent failed to provide annual training to all personnel who manage universal wastes from offsite sources.

2.4. Respondent violated California Code of Regulations, title 22, section 66273.33.5, subdivisions (a) (1) (B) (1), in that Respondent failed to immediately clean up and place in structurally sound container any electronic devices that accidentally or unintentionally broken, and possibly cause a release to hazardous constituents to the environment.

3. SCHEDULE FOR COMPLIANCE

3.1. Respondent shall comply with the following:

3.1.1. Respondent has corrected the violations set forth above. Respondent shall operate hereafter in a manner that shall prevent recurrences of the violations cited herein.

3.1. 2. Respondent shall make all payments at the time(s) and in accord with any other conditions set forth in Section 5 (Penalty) below.

4. OTHER PROVISIONS

4.1. Liability. Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Respondent, except as provided in this Order. Notwithstanding compliance with the terms of this Order, Respondent may be required to take such further actions as are necessary to protect public health or welfare or the environment.

4.2. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code, section 25188, and other applicable provisions of law.

4.3. Parties Bound. This Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

4.4. Integration. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Order.

5. PENALTY

5.1. Based on the information provided by the Respondent as part of its inability to pay claim, the Department evaluated the claim and determined that the Respondent could pay a total of \$5,000 in penalties. This monetary settlement reflects the Respondent's inability to pay claim, and not the merit or seriousness of the Department's allegations. As a result, the Respondent shall pay the Department a total penalty of \$5,000. DTSC reserves its rights to reconsider this matter should new information become available.

5.2. Payment of \$5,000 as specified in paragraph 5.1 is due within 30 days from the effective date of this Order.

5.3. Respondent's check(s) shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number, as shown in the caption of this case, and shall be delivered together with the attached Payment Voucher to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 21st floor
P. O. Box 806
Sacramento, California 95812-0806

A photocopy of the check(s) shall be sent to:

Roberto Kou, Unit Chief
Enforcement & Emergency Response Program
Department of Toxic Substances Control
9211 Oakdale Ave.
Chatsworth, CA 91311

and

Debra Schwartz, Senior Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, California 91311

5.4. If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code, section 25360.1, and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

6. EFFECTIVE DATE

6.1. The effective date of this Order is the date it is signed by the Department.

Dated: August 10, 2011

Original signed by Patrick Yeh
Respondent

Dated: September 2, 2011

Original signed by Roberto Kou
Roberto Kou, Unit Chief
Enforcement & Emergency Response Program
Department of Toxic Substances Control